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MICROSOFT CORPORATION

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 PAGEMELDING, INC.,

16 Plaintiff,

17 v.

18 FEEVA TECHNOLOGY, INC. HITWISE USA,
19 INC., KINDSIGHT, INC., MICROSOFT
20 CORPORATION, AND NEBUAD, INC.,

21 Defendants.

Case No. CV 08-3484 CRB

**CORRECTED [~~PROPOSED~~] ORDER AND
STIPULATION SELECTING ADR
PROCESS**

22 It has come to counsels' attention that although both the parties' stipulation and the Court's
23 docket entry accurately reflect the parties' agreement to participate in private mediation no later
24 than 30 days after a Claim Construction Order is issued by the Court, the Proposed Order
25 previously submitted and signed by the Court on October 31, 2008, did not accurately reflect that
26 date. As such, a CORRECTED Proposed Order is hereby submitted, along with the parties'
27 stipulation.

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

Court Processes:

☐ Non-binding Arbitration (ADR L.R. 4)

☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)

☐ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

☒ Private ADR (please identify process and provider) Mediation

The parties agree to hold the ADR session by:

☐ the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

☒ other requested deadline No later than 30 days after a Claim Construction Order is issued by the Court

Dated: November 7, 2008

FISH & RICHARDSON P.C.

By: /s/ Kelly C. Hunsaker

Kelly C. Hunsaker

Attorneys for Defendant

MICROSOFT CORPORATION

1 Dated: November 7, 2008

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22 Dated: November 7, 2008

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21 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of
22 perjury that concurrence in the filing of this document has been obtained for the signatures
23 indicated by a “conformed” signature within this efiled document.
24

25 Dated: November 7, 2008

FISH & RICHARDSON P.C.

26 By: /s/ Leeron G. Kalay
27 Leeron G. Kalay

28 Attorneys for Defendant
MICROSOFT CORPORATION

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1 **[PROPOSED] ORDER**

2 Pursuant to the Stipulation above, the captioned matter is hereby referred to Private ADR.
3 The deadline for the ADR session is no later than 30 days after a Claim Construction Order is
4 issued by the Court. This Order replaces the one previously entered by the Court on October 31,
5 2008.

6
7 IT IS SO ORDERED.

8
9 Dated: Nov. 10, 2008

